Docket No.: 63979-036 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277

Kiyoshi MORIMOTO, et al. : Confirmation Number: 6335

Serial No.: 10/716,621 : Group Art Unit: 2818

Filed: November 20, 2003 : Examiner: To be Assigned

For: NON-VOLATILE MEMORY AND FABRICATION METHOD THEREOF

TRANSMITTAL OF IPA

Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following documents for filing in the above-referenced application:

- 1. International Published Application
- 2. Form PCT/IB/308

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Michael E. Fogarty Registration No. 36,139

600 13th Street, N.W. Washington, DC 20005-3096 (202) 756-8000 MEF:mcw Facsimile: (202) 756-8087 **Date: March 22, 2004**